

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CR 18-189 DWF/SEA

UNITED STATES OF AMERICA,) INDICTMENT
Plaintiff,)
v.) 18 U.S.C. § 2
1. TYLER JAY CLARK,) 18 U.S.C. § 922(g)(1)
2. RYAN KEITH DIBLEY,) 18 U.S.C. § 924(a)(2)
3. LEOBARDO PENUNURI,) 18 U.S.C. § 924(c)(1)(A)
4. RENE PORTILLO,) 18 U.S.C. § 924(d)(1)
5. RODOLFO ALONSO PORTILLO, and) 21 U.S.C. § 841(a)(1)
6. JOSE ROGELIO TAFOLLA-ROJAS,) 21 U.S.C. § 841(b)(1)(A)
Defendants.) 21 U.S.C. § 846
) 21 U.S.C. § 853
) 28 U.S.C. § 2461(c)

THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT 1

(Conspiracy To Distribute Methamphetamine and Cocaine)

From in or about September 2017, and continuing through on or about July 11, 2018,
in the State and District of Minnesota, and elsewhere, the defendants,

**TYLER JAY CLARK,
RYAN KEITH DIBLEY,
LEOBARDO PENUNURI,
RENE PORTILLO,
RODOLFO ALONSO PORTILLO, and
JOSE ROGELIO TAFOLLA-ROJAS,**

did unlawfully, knowingly and intentionally conspire with each other and with others,
known and unknown to the grand jury, to distribute 50 grams or more of actual

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U.S. DISTRICT COURT ST. PAUL

United States v. Tyler Jay Clark, et al.

methamphetamine, and a mixture and substance containing a detectable amount of cocaine, both controlled substances, all in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and 846.

COUNT 2

(Attempted Possession With Intent
To Distribute Methamphetamine and Cocaine)

On or about May 10, 2018, in the State and District of Minnesota, the defendant,

RODOLFO ALONSO PORTILLO,

being aided and abetted by others, did unlawfully, knowingly and intentionally attempt to possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, and a mixture and substance containing a detectable amount of cocaine, both controlled substances, all in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and 846, and Title 18, United States Code, Section 2.

COUNT 3

(Possession With Intent To Distribute Methamphetamine)

On or about May 10, 2018, in the State and District of Minnesota, the defendant,

RODOLFO ALONSO PORTILLO,

being aided and abetted by others, did unlawfully, knowingly and intentionally possess with intent to distribute 50 grams or more of actual methamphetamine, a controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

United States v. Tyler Jay Clark, et al.

COUNT 4

(Possession With Intent To Distribute Methamphetamine)

On or about June 21, 2018, in the State and District of Minnesota, the defendant,

TYLER JAY CLARK,

did unlawfully, knowingly and intentionally possess with intent to distribute 50 grams or more of actual methamphetamine, a controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT 5

(Possession of Firearms In
Furtherance of a Drug Trafficking Crime)

On or about June 21, 2018, in the State and District of Minnesota, the defendant,

TYLER JAY CLARK,

in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, the crime set forth in Count 4 of this indictment, which is hereby realleged and incorporated herein by reference, did knowingly and unlawfully possess two firearms, namely, a Jimenez Arms, model JA 25, .25 caliber semi-automatic pistol, serial number 057582, and a Ruger, model LC9, nine millimeter semi-automatic pistol, serial number 32012226, all in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT 6

(Felon in Possession of Firearms)

On or about June 21, 2018 in the State and District of Minnesota, the defendant,

TYLER JAY CLARK,

having previously been convicted of the following crimes, each of which was punishable by imprisonment for a term exceeding one year, that is,

United States v. Tyler Jay Clark, et al.

Crime	Place of Conviction	Date Committed	Date of Conviction
Fifth-Degree Possession of a Controlled Substance	Olmsted County, Minnesota	07/12/2014	08/17/2015
Fifth-Degree Possession of a Controlled Substance	Olmsted County, Minnesota	04/04/2015	08/17/2015
Fifth-Degree Possession of a Controlled Substance	Olmsted County, Minnesota	03/08/2016	01/25/2017

knowingly possessed, in and affecting interstate and foreign commerce, three firearms, namely, a Jimenez Arms, model JA 25, .25 caliber semi-automatic pistol, serial number 057582, a Ruger, model LC9, nine millimeter semi-automatic pistol, serial number 32012226, and a Llama, model Minimax 45, .45 caliber semi-automatic pistol, serial number 71040033401, all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 7

(Possession With Intent To Distribute Methamphetamine and Cocaine)

On or about June 23, 2018, in the State and District of Minnesota, the defendant,

RYAN KEITH DIBLEY,

did unlawfully, knowingly and intentionally possess with intent to distribute 50 grams or more of actual methamphetamine, and a mixture and substance containing a detectable amount of cocaine, both controlled substances, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

United States v. Tyler Jay Clark, et al.

COUNT 8
(Distribution of Methamphetamine)

On or about July 11, 2018, in the State and District of Minnesota, the defendants,

**LEOBARDO PENUNURI,
RENE PORTILLO, and
JOSE ROGELIO TAFOLLA-ROJAS,**

each aiding and abetting the others, did unlawfully, knowingly and intentionally distribute 50 grams or more of actual methamphetamine, a controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION

1. If convicted of any of Counts 1, 2, 3, 4, 7 and 8 of this indictment, the defendants,

**TYLER JAY CLARK,
RYAN KEITH DIBLEY,
LEOBARDO PENUNURI,
RENE PORTILLO,
RODOLFO ALONSO PORTILLO, and
JOSE ROGELIO TAFOLLA-ROJAS,**

shall forfeit to the United States any property constituting, or derived from, any proceeds they obtained, directly or indirectly, as the result of each such violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of each such violation. If any of the above-described property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property under Title 21, United States Code, Section 853(p); all pursuant to Title 21, United States Code, Section 853.

United States v. Tyler Jay Clark, et al.

2. If convicted of either of Counts 5 and 6 of this indictment, the defendant,

TYLER JAY CLARK,

shall forfeit to the United States any firearms and ammunition involved in or used in connection with each such violation including, but not limited to, a Jimenez Arms, model JA 25, .25 caliber semi-automatic pistol, serial number 057582, a Ruger, model LC9, nine millimeter semi-automatic pistol, serial number 32012226, and a Llama, model Minimax 45, .45 caliber semi-automatic pistol, serial number 71040033401, and all associated ammunition, all pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

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UNITED STATES ATTORNEY

FOREPERSON